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October 20, 2020

Via e-File:

To: Hon. Katharine S. Hayden, U.S.D.J.
United States District Court
Martin Luther King Building
50 Walnut Street
Newark, NJ 07101

RE: Arielle Fletcher v. Gateway Group One, *et al.*
Docket: 2:20-cv-03413-KSH-CLW

Dear Judge Hayden,

I hope Your Honor is well. On October 8, 2020, we filed a letter to Your Honor advising of three websites, which expressly state the City of Elizabeth possesses an ownership interest in Newark Liberty International Airport. (See **Exhibit A.**)

After we filed the aforementioned letter, I received a phone call from one Azeem M. Chaudry, Esq., who, apparently, is Assistant Corporation Counsel and is appearing on behalf of Defendant, City of Newark. At that time, he advised that, Defendant, City of Elizabeth, in fact, possesses an ownership interest in Newark Liberty International Airport, notwithstanding their counsel, Robert F. Varady's representations to this Honorable Court and to me that they did not and do not possess any ownership interest in Newark Liberty International Airport.

At that time, contrary to Mr. Varady's representations, he stated that Defendant, City of Elizabeth, in fact, possesses an ownership interest in Newark Liberty International Airport and leases its interest in the property to Port Authority of New York and New Jersey. He added that Defendant, City of Newark, also possesses an ownership interest in the property and enjoys the same arrangement as Defendant, City of Elizabeth; he stated, Defendant, City of Newark, also leases its ownership interest to Port Authority of New York and New Jersey.

At or about the time that Mr. Chaudry and I spoke on the phone, I received an email from him, which stated, "[N]ewark, similarly, **does not have any ownership** or control, and has no connection to the main employer-defendant (emphasis added)." (See **Exhibit B.**) He wrote this to me despite the fact that he had, only moments earlier, admitted to me that Defendant, City of Newark, did, in fact, possesses an ownership interest in Newark Liberty International Airport and it leases its distinct and undivided interest in the property to Port Authority of New York and New Jersey.

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When I was made aware of this information by Mr. Chaudry, which conflicts with the representations, Defendant, City of Elizabeth's counsel, Mr. Varady, made to this Honorable Court, I emailed Mr. Varady and asked for him to advise me accordingly. (See **Exhibit C.**) However, he failed (or refused) to respond to me. I am not sure what to interpret from this silence.

When I tried to ascertain the truth, he refused to respond. Therefore, I have no choice but to withdraw my consent to Defendant, City of Elizabeth, being dismissed without prejudice. I proceeded in good faith the entire time and did not ask to be put in this situation. (I truly wish I could have gotten a straight answer.) However, at this time, Plaintiff must be able to engage in Discovery, now more than ever, in order to be able to identify the true legal owners of Newark Liberty International Airport, especially because both respective counsels are now making conflicting representations. Further, as this Honorable Court is already aware, a number of other resources identify Defendant, City of Elizabeth, as a legal owner of Newark Liberty International Airport. (See **Exhibit A.**)

I respectfully request that Your Honor provide Plaintiff a short period of time to draft an Opposition to Defendant, City of Elizabeth's Motion for Summary Judgment and withdraw Plaintiff's consent to permit Defendant, City of Elizabeth to be dismissed without prejudice.

If Your Honor has any further questions, please do not hesitate to make contact with us. Thank you.

Respectfully submitted,

/s/ Joseph Rakofsky

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